

1 RICHARD C. VASQUEZ (CA SB # 127228)
2 ERIC W. BENISEK (CA SB # 209520)
3 AVIN P. SHARMA (CA SB# 233328)
4 VASQUEZ BENISEK & LINDGREN LLP
5 3685 Mt. Diablo Blvd, Suite 300
Lafayette, CA 94549
Telephone: (925) 627-4250
Facsimile: (925) 403-0900
6 rvasquez@vbllaw.com
ebenisek@vbllaw.com
asharma@vbllaw.com

Attorneys for Non-Party 3Com Corporation

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

12 IN RE STATIC RANDOM ACCESS
13 MEMORY (SRAM) ANTITRUST
LITIGATION

This Document Relates to:
ALL INDIRECT PURCHASER ACTIONS

Case No: M:07-CV-1819 CW

MDL No. 1819

**DECLARATION OF RICHARD A.
BAKER, JR. IN SUPPORT OF INDIRECT
PURCHASER PLAINTIFFS'
ADMINISTRATIVE
MOTION TO SEAL DOCUMENTS
PURSUANT TO L.R. 7-11 AND 79-5**

Judge: The Honorable Claudia Wilken
Dept: Dept: Courtroom 2, 4th Floor

1
2
3 I, Richard A. Baker, Jr. on behalf of Non-Party 3Com Corporation ("3Com"), hereby
4 submit this Declaration in Support of Indirect Purchaser Plaintiffs' Administrative Motion to
5 Seal Portions of Documents Pursuant to L.R. 7-11 and 79-5 and declare as follows:
6
7

8 1. I am the Director of Intellectual Property Licensing at 3Com. I have personal knowledge
9 of the following facts stated herein and, if called to testify, I could and would testify competently
10 to these matters.
11
12

13 2. 3Com is asserting confidentially over Indirect Purchaser Plaintiffs' Memorandum in
14 Opposition to Defendants' Motion to Exclude the Expert Rebuttal Opinions of Mark Dwyer and
15 Michael J. Harris (un-redacted version filed with the Court on August 14, 2009), p. 15, lines 13-
16 15. Accordingly, 3Com respectfully requests Indirect Purchaser Plaintiffs' Memorandum in
17 Opposition to Defendants' Motion to Exclude the Expert Rebuttal Opinions of Mark Dwyer and
18 Michael J. Harris (un-redacted version filed with the Court on August 14, 2009), p. 15, lines 13-
19 15 be filed under seal because the information therein was produced in response to a subpoena
20 and designated as highly confidential pursuant to the Protective Order in the case.
21
22

23 3. This document contains information related to 3Com's product pricing and the costs to
24 3Com associated with producing these products.
25
26

27 4. Product pricing and cost information are extremely, commercially sensitive, the
28 disclosure of which would put 3Com at a commercial disadvantage.
29
30

31 I declare under penalty of perjury under the laws of the United States of America that the
32 foregoing is true and correct and that this declaration was executed on this 19th day of August,
33 2009 at Marlborough, Massachusetts.
34
35



36 Richard A. Baker, Jr.
37
38